

November 6. Melissa was buried on November 22, 1991. Her body was exhumed in November 1994, and examined by Forensic Anthropologist Dr. Clyde Snow, M.D. He determined the existence of sharp marks on four ribs that he concluded to be consistent with a sharp instrument, such as a knife.

L. Subsequent Events Prior to the Arrests

Judy was shot and killed on September 5, 1991, and Melissa was taken away a short time after her mother's death, and probably was killed before Jessie Cummings returned from Oklahoma City late that night. There is no question that Sherry and Anita needed help to dispose of Judy's body. They had to wait until nightfall to take advantage of the secrecy the night darkness would provide them, and Anita was at work until about 11:00 pm. Since luminol testing of the Cummings' house did not reveal evidence of human blood, coupled with the fact the knife wounds found on Melissa's ribs would have produced a considerable amount of blood, it is unlikely that Melissa was stabbed to death at the house. Whether tied up or knocked out or tricked by means of a ruse, Melissa was taken away late that afternoon and not seen again until her body was found weeks later.

During the three years this offense went unsolved, there were a number of other individuals who stayed in the Cummings' household for varying lengths of time. Daniel Franklin Chick [Chick] moved into the Cummings' household within weeks of these offenses. At the time, Chick was 23 years old and had been living in his parents' house in Cottonwood, OK, not far up the road from Coalgate. He is 6' and weighed about 180 lbs. Long-time residents of Coal County, Chick and his parents obviously belong to the Poor White Trash subculture in that area. Chick had been hanging around the Cummings' household for weeks before this offense, and at times would earn money by helping Jessie with odd jobs. The divorced father of two daughters, Chick was always chronically behind on his child support, owing \$5584 in March 1993 (Appendix 28). It is unknown if Chick was one of Sherry's lovers before he moved into the Cummings' household. However, Chick and Sherry confided in a close friend a while later that they were in love and wanted to run away together (Appendix 7).

Melissa's body was discovered October 16, 1991. Six days later, Jessie's father was admitted to the hospital with a heart attack. He was discharged home on November 2, 1991, and died two days later. He was buried on November 6, and Melissa was buried on November 22.

After Jessie's father died, his bedroom was converted into the master bedroom. Chick moved into the bedroom which formerly had been the master bedroom. Around this time, Shirley Cunningham moved into the household. Shirley was 27 years old at the time. She had two children who moved in with her. Her son, Brandon Wilson, was born in December 1987, during Shirley's marriage to David Wilson, who died in a drowning incident in April 1991. For several years Shirley had been dating Henry Moody, the second oldest son of Judy Moody. Shirley lived with Henry and Judy on and off. Henry is reportedly the father of Shirley's daughter, Natasha Moody, who was born in November 1989. Shirley, who did not get along well with Judy, left Henry and moved out of Judy's house several months before these offenses. Initially she went to live with a sister in Heavener, OK, and then moved with her mother to live in Ada, and they moved to Lehigh in October 1991. Shirley left her mother to move into the Cummings' household around October 1991, bringing her two small children with her. Shirley moved into the marital bedroom and was essential a fourth partner in this pluralistic marriage. Shirley had a bisexual relationship with Sherry and Anita.

The primary reason Jessie let Shirley and her children move in was because he felt sorry for her children. Just about everyone who knows Shirley, including Sherry and Anita, describes her as a pitiful parent who harshly punished her children, to the point of abuse. Prior to the July 1994 arrests, Shirley moved out of the Cummings' household two times, but returned after a while. The summer of ~~1989~~¹⁹⁹², a used travel trailer was purchased and placed next to the Cummings' house in Phillips. Shirley and her children used it, but did not sleep in it all the time.

Numerous suspects were investigated by the authorities, including Judy's new boyfriend, Jessie Boone Wilson. On March 4, 1992, the OSBI conducted luminol testing of the Cummings' household and the house where Robert Cogburn and Ella Faye Potter were living. No evidence of evidentiary value was found at either location (Appendix 41). Luminol testing is a method for

determining the presence of human blood by spraying a chemical which will glow when reacting to the presence of blood. Jessie and Shirley Cunningham were present during the testing of the house. All the walls, floors and ceilings in every room were sprayed.

In May of 1993, Jessie was found eligible for Social Security Disability benefits, and began receiving monthly SSI checks. That decision found that Jessie had been unable to work since December 15, 1990, due to bilateral glaucoma with pain and persistent headaches, pain in the back and neck secondary to an old bullet wound with numbness in his left leg. (Appendix 45). Jessie, Anita and Sherry opened a joint checking account. Later that year, Jessie received a \$9000 lump sum check for past-due benefits. Most of this money was deposited in the checking account. At all times, each of the wives owned a vehicle. Many times Jessie would be gone a day or more at a time doing odd jobs, such as looking for bond jumpers, repossessing cars, hauling wood, etc. Anita and Sherry both had many opportunities to leave Jessie, and could have cleaned out the checking account if they chose to do so.

On July 12, 1993, Anita gave birth to Ashley Cummings. Jessie had long wanted to adopt Anita's son Robbie, so they consulted with Atoka attorney Richard Mayfield. An Adoption Petition was filed in Coal County on August 26, 1993. Robbie's putative father, Darren Gionson, was served by publication. When it came to attorney Mayfield's attention that Jessie was also married to Sherry, he explained to Anita and Jessie how that might affect the adoption. As a result, Sherry filed for divorce in October 1993, and a Decree of Divorce was issued January 7, 1994. Sherry continued to live in the Cummings' household, and the divorce had no affect on their daily lives.

In connection with the adoption of Robbie, Anita and Jessie filled out a Home Assessment Application on April 18, 1994. At the time, they were still living in the dilapidated house in Phillips which they rented for only \$25 a month, and which did not have indoor plumbing or a bathroom. In order to improve the chances of the adoption going through, the Cummings rented a second house in Lehigh, OK, keeping the house in Phillips. They moved there around May 1, 1994. The Independent Adoptive Assessment prepared by DHS was filed with the Court on May 3, 1994, and it recommended that the adoption be denied (Appendix 43). In that Assessment, it is noted that Anita

THERE WAS INDOOR PLUMBING. BUT NO INDOOR BA

admitted to knowing that Jessie was already married to Sherry when Anita married him.

That Spring, Lahoma Yaws, Sherry's mother, moved to Jay, OK, with her boyfriend David Potter and assorted children who were still living with her. David's brother, Patrick Potter, also stayed with them a good deal of the time. Patrick at the time had a reputation for being a child molester, and is currently serving a prison term in Missouri, for molesting one of Lahoma Yaws' grandchildren.

During the summer of 1994, Sherry's brother, Orlin Yaws, was living in Arkansas with his wife Vicki Potter, the daughter of David Potter. They contacted Sherry by phone to request assistance getting away from Arkansas. Jessie and Sherry drove up and helped them move to Lehigh. On previous occasions when Vicki and Orlin were staying with the Cummings, Vicki would have sexual relations with Jessie, and this stay was no different. Anita was particularly miffed by Vicki coming back into their lives, because Vicki and Anita did not get along, although Vicki and Sherry were good friends by Vicki's report.

Vicki and Orlin basically slept at the Phillips house, where Shirley Cunningham's trailer was still located next to the house. Shirley and her children often slept there. In the morning, somebody from the Cummings' household in Lehigh would go to Phillips to pick them up and bring them back to Lehigh. Cliff Long, another lover of Sherry's, lived in Lehigh on the main highway, and he spent a considerable amount of time at the Cummings' house in Lehigh. Omar and Mandy Bayles were friends of the family who lived in Cottonwood, OK, and they also were frequent visitors to the Cummings' household.

By July 28, 1994, Anita had been working for Eddie Fields for several months. Eddie Fields is a "preacher" who ran a workshop in Atoka which he called The Final Harvest Ministry. He would hire a handful of workers to make crafts out of wood which Eddie sold to Hobby Lobby. Eddie's wife, Diane Fields, was the person who really made this project function. Eddie and Diane divorced a month after the arrests in this case. She moved back home to Florida, and Final Harvest Ministry eventually died out. Eddie now lives in the Caney, OK, area and supports himself doing odd jobs. Eddie and Jessie had known each other for years, often trading and selling things to each other,